File No. 599

1886.

Collection No.

(2)

Mysore Residency

Pros. / Serial Nos. 31-33, 37-39

207

Subject.

D. S. P appointed ex-officio member of the Managing Committee of the Bowring Institute, but later on the President of the Municipality replaced him as official visitor.

Previous References.

Later References.

MGIPC—FP—465 DCFMis.—(3733)—20-11-25—85,000.

Sh. 31 89. Sir letter No. 83 dated the 8th Jany 89. the Secretary "the Bowring Institute" asks that the Govt. may be pleased to appoint the Asst. Govt. or any other Officer under Govt. to be an ex Officio member of the Managing Committee of the Bowring Institute Submitted for favour of orders -

Please see Govt Mins Suggestion as contained in para 77 of Note.

90 It may here be remarked that the managing Com-

matter of the Literary and
Scientific Institute Law
changed the name of
the Institution to
"Bowring Institute" -
Before doing this they looked
Law referred their attention
to the Asst: Recr:,
who is Inspector General
of Registration, for the
L. & S. Institute, as such
as been registered under
Act XXI of 1860 - Under
the Law as they
now stand it is their look out -
Major Norton Remarked
on the 5: Inst 87 (para 40)

This has been
since last visit
2/12 Ge

71

(Continuation of Note or Precis.)

that the Institution
has "independently managed"
and no changes from the
better, to my knowledge,
has been please Sir
Thank -

14.1.24

Ref:

92 I think this letter might
lie over for the present, to be
put up again in a month.

16/1

93 Yes! he should have one sent
to him now -

OM
18/1

Submitted

94 Lord Meston that the
Committee are working

for an answer by 31st when a special Meeting of the Subscribers is to be called to elect Members for a new Committee

8.2.89

95. I have seen the Resident about this case. He says he will be glad to visit the Boring institute some day, but it must be just at present. Meanwhile, he does not wish to delay this question further, & he will be glad to support Mr Newton. I have spoken to Mr H also, & will send him a D.O when the draft reply is ready

26/2

96. Draft to the Hon: Secy: Boring Institute, submitted for approval.

27.2.89 H/28/2

The draft to Hon: Secy: is for the 1858 Limited Liability Company

H/28/2

5-3

(Continuation of Note or Precis.)

Letter to the Honorary Secretary to the Bowring Institute. No. 721/5996 — Do. to Hamilton — No 722/5996 issued on the 2nd March 1889.

GR.

Se 34 99

With letter No — dy. the 27. Mar. 89. the President, Bowring Institute — returns the plan & Estimate of the Bowring Memorial, with the suggestions made by Col. Bowen carried out.

Mr. Rice asks for the grant of Rs. 5000/. which, if Council please, may now be paid. The amount is included in the Budget Estimates for the current year (1889-90) See please Pl. 12 in File 395/88.

Orders solicited —

R/ 2-4-89

23

Rep. This sum may now be placed at Mr Rice's disposal. The building is rising fast

MM 3/4 Ep

98 Draft submitted for approval.

M.
4-4-89

99 Letter dated 13 April 1889. noises to:-
The President B. Institute. No. 1249.
" Collector ex Insh No 1250
" Assistt Engineer. No. 1251.
" Inspecting Schools. No 1252.
BK

D: 35

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100 In letter No. 401 dated the 29: February 1876, the Hon: Secretary Bombay Institute, submits for consideration a draft new rule for that institution affecting the appointment of Ex: Officio Members.

D. 36 37

101 This institution received towards its building a grant in aid of Rs 10000/- from the Empire fund & of Rs 5000/- from the revenues of the Appointed Tract, the Military authorities granting the site free of charge - As regards the building fund Rice, the then President, Reserved that the building owned be the property of the Committee for the time being of the Bombay Institute, and arrangements might

Sl. No. 25

(Continuation of Note or Precis.)

might be made for the appointment of a certain number of Ex: Officio members as Trustees representing the various interests involved, namely the Housing Fund, the Literary & Scientific Institutes, the Municipal Govt., the Military Department & the Colombo Municipality - viz: However the Dy. Supdt. of Police was appointed by the Resident to be an Ex: Officio member in March 1889. The other Ex: Officio members are the Secy. to the Municipal Govt. in the Education Dept. (2) the Dy. Govt. Analyst & the President of the Colombo Municipality. (3)

A.33

There three Officers have not all been appointed, only the Deputy Govt. has been by the Barbers who have been appointed as at Sc. 36.

H/12/3.

102

It is now proposed to do away with the Ex Officio members & to appoint visitors, & the proposal is based on Section 15 of Act XXI of 1860. The Committee say that this rule gives power to vote etc. only to those who are actual members i.e. those who pay monthly subscription

21

& registered institution, & that as the Ex officio members are not members in the purview of the Act - they not paying subscription or otherwise subscribing to the rules, the proposed alteration appears to be legally called for. It is submitted that rule 15 of the Act defines the qualification for a member for the purposes of that Act. It is submitted that payment of subscription is not quite compulsory. If the Ex-officio members were to sign the roll or list of members, they are members under that rule & will be entitled to vote. As these pay no subscription, there will be no arrears against them.

163 If however, the proposed change be accepted, these Govt nominees will merely have power to inspect the building, reports, & accounts, but they can take no direct action in the proceedings of the meeting, which appears to be the intention of Govt in the appointment of Ex-officio representatives. Moreover, we have under the present rules two Ex-officio members (President, Com Hon

Municipality & the Dist Supt of Police
to represent the interests of the Institution
Under the proposed rule, there will be
only one, the Municipal President, to
represent the Station.

104 It is presumed that similar
proposals must have been made
by the Committee to the Govt as
as regards the Ex: officio membership
of the Educational Secretary & the
Dy Comm[r], Bangalore Dist. It may
be useful to know how the Govt
view the proposals.
Submitted for orders.

M[r].
6-3-96.

105 It might put matters in a clearer
light if Question why this question
has been raised at all by the Committee
of which I am a member. About 8 months
ago a General Meeting of Subscribers
(Members) was called to consider an

an important question as regards the Constitution of the Committee. Postcards were sent out & also the Subscribing Members by the Hon. Secy. who canvassed the Official Members altogether. Nothing was said before the meeting * but at the meeting before proceedings were commenced a Member said the whole thing was illegal as the Official Members had not been given notice under Sec. 12 of the Act. So we pressed them. Thought of Sec. 15 of the Act which defines a "Member". The Meeting was accordingly dissolved.

106 The point raised in para 102 of note is a fine one. Can an Officer appointed by Govt. be considered a Member if he has paid no subscription & has not signed the Roll or list of Members?

107. The Institution Can of course

(Continuation of Note or Precis).

make or alter the Rules so long as they are in accordance with the Act - Does the fact of the appointment of an Officer as an Ex officio Member of the Committee make him a Member for the purposes of Act? If so, the only two Members that can be so recognised are the D.S.P. and the Dep. Com.; the former appointed by the Resident and the latter by the Admin.

108. Mr. Lewethorn did sometimes attend the monthly meetings of the Committee - Mr. Blabber just in an appearance capacity or for as I recollect I so did Mr. Kirkmanski. When he was the D.C.

109. As regards the interests of Government in this District they would I submit be sufficiently represented by the President of the

Municipal Com. who is also Dist.t Magt. on the part of the Bn. Govt.; and the Dy. Comr. of Bangalore on behalf of the Barber. — If their appointment by Govt. makes them Members of ~~ex officio~~ of the Managing Committee there is an end to the matter — if it does not they can be looked upon as Official Visitors. In this connection please see last clause of Sec. 13 of the Act.

Submitted for favour of order.

12.3.96

110 The Mysore Govt have replied that they have no objection — I think we may follow suit.

KSE
3-4.

Res:

111. I suppose Rule IV Sec 4 is wrongly printed in the copy of proposed new rules for Rule IV Sec 3 —

The Secy is quoting from the "Draft Revised rules", not the small pamphlet of Rules of '89. The former are to supersede the latter KSE

112. I do not see that I have any power to sanction the change which is a change in the constitution of the Society — Nor does

(Continuation of Note or Precis.)

It seem to me that the Society can do it, even if Sec 12 of the Act is properly observed; that section having been framed to meet the following purposes only

alteration extension or abridgement of purpose of Society

2 Amalgamation of Society with other Society.

113. Has any memorandum of association been drawn up under Sec 1. 2? If so I should like to see it.

Mr Clarke,
Put up
KSE

4/4/90

114. The question is "Is there any objection to there being 2 official visitors instead of 4 official members?" The Act does not forbid existence of official visitors nor does the Society wish to avoid official supervision. But the Society wishes to follow the Act. S. 15 defines "members" The so-called "official members" paid no subscription & signed no roll or list - therefore they were not "members" - the

was one of the difficulty would be to admit the official members according to the rules of 1889 & make them sign the list of members - then they would be ~~xx~~ members under S. 15. An alternative is that proposed by the Sec:

An official visitor can not vote. I don't know that we wish them to have this power - They can watch whatever interests Govt has in the Society & over the Society is the Registrar of Companies who has to see that the Act is observed -

But Mr. Clarke was note from the point of view of the Society as he is a member of the Commee

KSE

A-4.

115. From the Society point of view I may say that we would be glad if Government appointed an Official member of the Committee, it would give a tone to the management as it were; the Officer & the

appointed may be asked to sign the list, when he will be a "Member" of the Institute and, as such, at liberty to vote

115 if Resd. does not wish, or does not think it necessary to appoint a Govt. Officer a member of the managing Committee, the Officer may be nominated an Official Visitor only, as the Durban Low does.

116 The Memorandum of the Association Resd. asked for in para 113 supra will be found at Sr. 5/a of Registration of Companies file No. 13 of 1886, linked. Submitted.

K.E.E. 9-4.

8.4.96

Resd.

As the memorandum of association contains no mention of the subject I believe I may agree to the proposal.

Agree. K.E.E. 11-4
16 11/4. Mary

64

Dft. subt. for approval

13.4.96 Issue

15/4

Letter issued - Sl. 34.39

In April 98, a loan of £15,000/- was sanctioned by the Mysore Govt to carry out certain alterations & improvements to the Nursing Institute. The President of the Institute appears to have applied to the Govt for a further loan of £12,000/- but the Govt have for the reasons specified in Sl. N. 60 expressed their inability to grant the further loan asked for. Sl. 55/a

The President's letter of 16 Feb to which Sl. N. 60 is a reply does not appear to have passed thro' this office. Sl. N. 60 may be passed on to Capt. Walker under endorsement which is prepared in pencil for favour of approval & signature. It will be inked before despatch. (A copy of Sl. N. 60 will be retained for file).

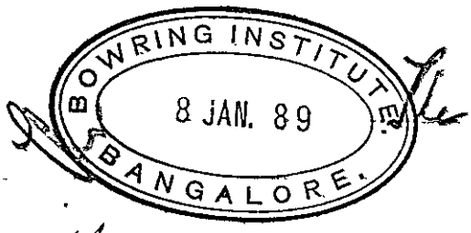
No. for reasons explained to Col. Robertson in person. H.C. 12/7

12-7-99 Mr. Gold for Mr. Clarke please speak about this

Dft 13/7/99

Regd. This matter has not come before us officially before, though Col. Robertson appears to have talked to

Fo 83

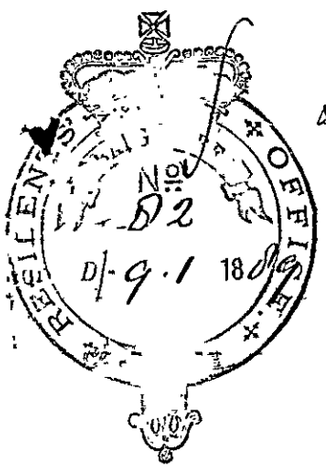


31

The Bowring Institute
Bangalore 8 Jan. 1889

From

The Honorary Secretary
The Bowring Institute
Bangalore



To

General Sir H. F. D. Prendergast, K.C.B. K.C.S.I. R.E.
Officiating Resident in Mysore
Bangalore

Sir

I have the honor to submit herewith the Proceedings of a meeting of the managing Committee held 4 Jan. 1889 and respectfully to solicit Your will be pleased, in accordance with the Resolution which was unanimously passed, to nominate and appoint the Assistant Resident, or any other Officer under You, in his Official Capacity for the time being, to be an Ex Officio members of the managing Committee of the Bowring Institute. I may add that the object of the Committee in making the above request, is, in order that such Officer as You may appoint, may be one of the Trustees in connection with the Institute and to take some interest in its management,

I have the honor to be
Sir
Your most Obedt. Servant

(F. D. Pearce) Hon. Secy.

BOWRING INSTITUTE
8 JAN. 89
BANGALORE.

Proceedings of a meeting held at the Bowring Institute on the 4th January 1889.

Present:- Majr R. P. Campbell, M.S. Hogg Esq, Abdoola, B. Shury Gunjial, R. E. Dalgleish Esq, E. S. Wilkins, F. B. Pereira and J. W. Hayes Esq.

Mr J. W. Hayes Jr was called to the Chair,

Read Notice convening the meeting,

Read Proceedings of the managing Committee of the 8th December 1888.

Confirmed,

Read Proceedings dated 13th December 1888 of the Sub Committee, appointed by the managing Committee on the 8th December 1888,

Approved

The following Resolutions were then passed unanimously,

I. That a General meeting of the Associates be called by the Secretary at an early date, for the purpose of reconstructing the managing Committee of the Bowring Institute, as suggested in Resolution II of the Sub Committees Report, copy appended

II That previous to the said General meeting, the British Resident and the Dewan of Mysore be communicated with by the Secretary, and their kind Consent obtained to the nomination and appointment of the Assistant Resident or other Officer for the time being, and Deputy Commissioner, Bangalore District, or other Officer for the time being, as Ex Officio members of the managing Committee, proposed to be reconstructed,

The meeting then came to a termination,

(True Copy)

(Signed) J. W. Hayes Jr
Chairman

J. B. P. Hogg
Hon Secy

BOWRING INSTITUTE
8 JAN. 89
BANGALORE.

Extract of Proceedings of a meeting held at the Bowring Institute on the 19th Dec. 1888,

II

5th Dec. 1887

The Sub Committee after a careful consideration of the whole matter are of opinion that a separate trust deed from that of the Municipality seems impossible. The principle which militates against such trust being the legal disability of the Municipality to alienate any portion of the land, that therefore the Municipality be Custodians of the Building subject to the conditions which may be stipulated in the separate deed and that the Committee of the Bowring Institute be Proprietors of all property in the Building - such Committee to be reconstituted practically on the Committee suggested in Mr. Rice's reply letter to the Asst. Resident above referred to.

It appears to the Sub Committee that a formal deed of Covenant between the Managing Committee and the Municipality should be drawn up Executed and Registered giving effect to such Reconstitution of the Managing Committee.

(True Extract)

F. B. Peppe
Hon. Secy.

5.L.

1st March 1889.

My dear Shuckburgh.

With reference to our conversation on Tuesday I write to say that Sir Oliver has decided to appoint you to act ex officio on the Committee of the Barring Institute, in compliance with the Committee's request. I take it from what you said that you will have no objection to this and I am sending a reply to the Honorary Secretary accordingly.

Yours sincerely
Sd/ E. G. Colvin

bR

Serial No. 33

RESIDENT'S OFFICE.

[DRAFT.]—For approval.

No. 721
5996.

To The Hon: Secretary of the
Burning Institute
Bangalore

Dated 21 March ~~February~~ 1889.

Sir,

A. No. 31

I am directed to acknowledge the receipt of your letter No. 83 dated 8th January 1889, forwarding a copy of the Proceedings of the a meeting of the managing Committee of the Burning Institute dated 4th idem, and requesting that the Assistant Resident or any other Officer under the Resident may be appointed to be an Ex: Officio member of the managing Committee.

2. In reply, I am to say that the Resident is pleased to appoint ~~the~~ S. Venkatarao, the

District

District Superintendent of Police,
C & M Station, to be an Ex: Officio
Member of the Managing Committee of the
Boarding Institute.

I have, &c.,

E 1/3

Asst to the Resident

No 722
5996.

Copy forwarded to Mr
E. Hewetson, Dy Supt of Police,
C & M Station of Bangalore, for
information.

E 1/3

Asst to the Resident

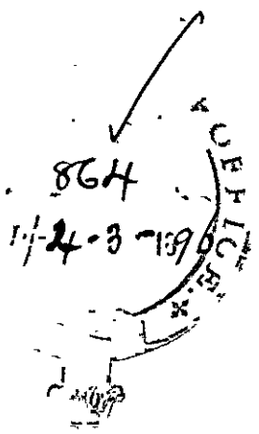
M.
27-2-89

37

The Bowring Institute
Bangalore 9th February 1896.

No 401
Do

W. Mackworth Young Esqre C.S.I.
Resident in Mysore
Bangalore



Sir,

I have the honour, in accordance with a Resolution of the Managing Committee of the Bowring Institute, to forward herewith copy of a new Rule which they have drafted. This new Rule will affect the appointment of the District Superintendent of Police of the Civil and Military Station, as ex-officio member of the Managing Committee of the Bowring Institute.

2. The appointment was made at the request of the Managing Committee, on the 2nd March 1889, vide Letter from the Assistant Resident, No 721 / 5996 of that date.

3. The object of the Committee in adopting the new Rule is to bring the constitution of the Institute into strict conformity with the provisions of Act XXI of 1860, under which the Institute is registered. The Committee find that the Act gives power to vote, &c., only to those who are actual Members, i.e. those who pay monthly subscriptions to a registered Institution. As the ex-officio appointees

6

appointees are not Members in the purview of the Act – they not paying subscription or otherwise subscribing to the rules – The alteration of the Rule appears to the Committee to be legally called for –

4. The original object of the Managing Committee in securing a representative of Government to co-operate with them in the affairs of the Institute, was that the interests of Government which had so liberally contributed to its establishment and success, might be always maintained. The Managing Committee are unwilling to lose sight of this object, and believe it can be conserved by the appointment of the Municipal President of the station, (who is also 2d Assistant to the Resident) to be an official visitor, according to the Draft Rule now submitted for your kind consideration

I have the honor to be

Sir

Your Most Obedient Servant

Jno. L. Dunn

Honorary Secretary

Copy of Proposed New Rule for the Bowring Institute.

Rule IV. Section 4 - The following officials shall be visitors of the Institute, and shall have the power to inspect the building, property, and accounts, as representatives of the interests of the British Indian and Mysore Governments respectively; and all reports of annual, and special general meetings shall be forwarded to them for their information.

× × × ×

The President of the Municipality Civil and Military Station of Bangalore

True Copy!

Hon. Sec. Dillon

Honorary Secretary

Proceedings of the Government of Mysore

Read

Letter No. 400 of the 29th February 1896 from the Honorary Secretary of the Bowring Institute, Bangalore, forwarding for information Copy of a new rule affecting the appointment of the Deputy Commissioner of the Bangalore District as Ex-Officio member of the Managing Committee of the Institute by altering his relation to the Institute from Member of the Committee to "Official Visitor" and stating that the object of the Committee in adopting the new rule is to bring the constitution of the Institute into strict conformity with the provisions of Act XXI of 1860

Order thereon No. 10546-7
Mis. 1480
Dated Bangalore 13th March 1896

Subs for 1st and 2nd to be seen in connection with the election now under Consd.
19.3.'96

The proposed alteration is approved

(Sgd) T. Paramasiva Aiyar
for Secretary

To

The Honorary Secretary
Bowring Institute
Bangalore

True Copy

Honorary Secretary
Bowring Institute

3

RESIDENT'S OFFICE.

Serial No. 75

[DRAFT].—For approval.

No. 1431.

Dated 18 April 1896.

To

The Hon: Secy.

Bowring Institute

Sir,

With reference to your letter No: 401 dt. the 29 Feb: last, I am directed to inform you that the Resident has been pleased to appoint the Resident Municipal Commissioner C: & M. Station of Bangalore, an Official Visitor of the Bowring Institute.

Sc. 5637

2. This Office letter No. 721/5996 dt. the 2d March 1889 is hereby Cancelled

I am &c.

KSE 15/4

1st Asst. Resident

No. 1432.

Copy forwarded to the President

2.

Municipal Com.: C. M. Ch. of Bangalore

In intermediate Instance.

No. 1433.

Copy forwarded to the Dist. Supdt. of Police, C. M. Station of Bangalore for information with reference to the Office endorsement No. 922/5996 of the 2nd Inst. (See 33

KSE 15/4

1st Asst. Supdt.

14.4.96